



STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET • P.O. BOX 187
ELLINGTON, CONNECTICUT 06029-0187

**PERMANENT BUILDING COMMITTEE
SPECIAL MEETING
THURSDAY, JULY 21, 2005**



Members Present: Peter Welty-Chairman, Gary Blanchette, Paul Critchley, Katherine Heminway, Gary Magnuson, Lori Spielman

Members Absent: Robert Clements, Dennis Frawley, Daniel Tutko

Others Present: Robert Pagani

Chairman Peter Welty opened the meeting at 7:35 pm.

Approval of Minutes

MOTION (CRITCHLEY) SECONDED (MAGNUSON) AND PASSED TO APPROVE THE MINUTES OF THE MEETING OF JUNE 14, 2005 AS WRITTEN.

High School Project

The Chairman told the Committee that a letter had been sent to Haynes Construction giving them 7 days to begin work on a punch list that was attached. The letter was received by Haynes on Friday (7/15/05) and as of today, no response has been received. This letter is a result of a walk through conducted on 6/29/05 by Moser Pilon Nelson, Bemis, Mr. Littizzio, Mr. Selley, Mr. Pagani, Mr. Welty and Mr. Magnuson. There is a list of outstanding items that Haynes is responsible for and a list of items that the Board of Education is working on or waiting to do if funds become available at the end of the project.

Mr. Welty told the committee that he had been questioned on whether his signature on the letter carried any weight with the contractor and that perhaps the First Selectman should have been the one to sign it. There were also questions as to whether the Town Attorney should have been involved in this. The next step in the process is a three day letter. After the three day notice, the Town has the right to hire a contractor to finish the work and deduct the cost from retainage. Lori Spielman asked what will happen to the back charges for the architect, clerk of the works, etc. that were being billed to Haynes through

the change order. Haynes has not responded to that either, and Gary Magnuson stated that he felt this was a separate issue from the back charges and shouldn't affect it.

Peter Welti stated that before Dennis Milanovich went on vacation, he asked Peter for some prices for the items on the punch list. Some of the items are small and are hard to price. He felt that some of them would be time and materials billed. There is one large item, however, and that will be the motors for the Mitsubishi units that heat and cool. The Town hired New England Mechanical to diagnose the problem with these units and they found that the motors require 230 volts, but that there is only 208 volts going to the motors. These motors are not the ones that were specified in the contract and need to be replaced. It was the consensus that Haynes put the wrong ones in and should put the correct ones in. Mr. Pagani stated that it has been 8 weeks since anyone was at the school working for Haynes.

Peter Welti read a letter from Dave Wedge, State BOE, stating that when the general contractor will not perform their duties, they are not in default of the contract and therefore the bonding company is invisible for purposes of reimbursement. The bonding company assumes the scope of the contract. It is permissible to use the funds that are remaining from the contract but not the contingency.

It was suggested by members that contractors be lined up so that when the time comes that Haynes will not complete the work, they can be activated. The majority of these items the Committee would like to see completed by the time school begins again. Peter Welti will send the punch list to several contractors to get their input as to whether they would be willing to do the work and how much money they would be looking for. It was agreed that the three day letter will be sent out. Peter will call members as responses are received.

Peter Welti told the Committee that he was informed that the new mirrors in the weight room have been installed.

Invoice from Moser Pilon Nelson

MOTION (SPIELMAN) SECONDED (HEMINWAY) AND PASSED TO APPROVE INVOICE FROM MOSER PILON NELSON IN THE AMOUNT OF \$2,527.12 FOR WORK DONE BY MOSER PILON AND BEMIS FROM 5/28/05-6/24/05.

Peter then told the committee that he had spoken to Valley Communications and that the Town still owes them \$178,000. He has met with John Mercier from Center School and was told that there are two rooms that have wiring issues. At the High School he understood that there are two monitors not mounted in the foyer. He is going to meet with Marcie Reed from the High School next week to see what still needs to be done to complete the work at that school. He felt that the amount of work still to be completed could easily be covered by \$70,000 and that the Committee could safely release \$100,000 of the balance. Paul Critchley stated that he was uneasy at releasing this much to them.

MOTION (MAGNUSON) SECONDED (BLANCHETTE) AND PASSED TO PAY VALLEY COMMUNICATIONS \$100,000 OF THE \$170,000 BEING HELD. CRITCHLEY VOTED NAY

Old Business

The wells at Crystal Lake School were discussed and Mr. Pagani stated that the Town Engineer is waiting for the State to approve the final submittal on the wells. Mr. Blanchette thought that Board of Education had received an extension.

New Business

The Town Report submission was handed out and read.

Adjournment

MOTION (CRITCHLEY) SECONDED (SPIELMAN) AND PASSED TO AJOURN THE MEETING AT 8:45 PM.

Submitted by


Lori Smith, Clerk